

Applicants : Brent J. Bos, Kenneth Schofield, Mark L. Larson and Niall R. Lynam
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Remarks:

The amendments and remarks presented herein are believed to be fully responsive to the Office Action dated February 6, 2006, having a three month period for response ending May 6, 2006. Because May 6, 2006 falls on a Saturday, this response is being timely filed on Monday, May 8, 2006.

Claims 103-133 are pending in the application. Claims 103-107, 115-123, 127, 129, 132 and 133 have been amended as set forth above and new claims 134-147 have been added. The specification has been amended to update an incorporated patent application that has now issued as a patent. The amendments and new claims are fully supported in the specification and drawings as originally filed. No new matter has been added.

ALLOWABLE CLAIMS

Claims 127 and 128 were indicated as being directed toward allowable subject matter and as being allowable if rewritten in independent form. Applicants have amended claim 127 to be in independent form, such that claims 127 and 128 are now in condition for allowance.

CLAIM REJECTIONS

Claims 103-105, 107-120, 125, 126 and 129 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bechtel et al., U.S. Patent No. 5,537,003 ("Bechtel '003"), in view of Bechtel, U.S. Patent No. 5,204,778 ("Bechtel '778"), and in view of Vachss, U.S. Patent No. 5,313,072 ("Vachss"). Claim 106 was rejected under 35 U.S.C. §103(a) as being unpatentable over the Bechtel '003, Bechtel '778 and Vachss combination, in further view of Bendicks et al., U.S. Patent No. 5,498,866. Claims 121-124 were rejected under 35 U.S.C. §103(a) as being unpatentable over the Bechtel '003, Bechtel '778 and Vachss combination, in

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further view of Shiraishi, U.S. Patent No. 4,881,019. Claim 130 was rejected under 35 U.S.C. §103(a) as being unpatentable over the Bechtel '003, Bechtel '778 and Vachss combination, in further view of Kobayashi et al., U.S. Patent No. 5,426,294. Claim 131 was rejected under 35 U.S.C. §103(a) as being unpatentable over the Bechtel '003, Bechtel '778 and Vachss combination, in further view of Kiyomoto et al., U.S. Patent No. 5,844,682. Claim 132 was rejected under 35 U.S.C. §103(a) as being unpatentable over the Bechtel '003, Bechtel '778 and Vachss combination, in further view of Levers, U.S. Patent No. 5,276,389. Claim 133 was rejected under 35 U.S.C. §103(a) as being unpatentable over the Bechtel '003, Bechtel '778 and Vachss combination, in further view of Teder, U.S. Patent No. 5,568,027.

Applicants respectfully traverse the rejections under 35 U.S.C. §103(a) for the reasons set forth below.

Applicants have amended independent claim 103 to clarify that the imaging sensor is positioned in the interior of the vehicle and with a field of view through a window of the vehicle to the exterior of the vehicle. The imaging sensor generates outputs indicative of sensed images. A control is responsive to the outputs of the imaging sensor. The control is operable to control at least one of (a) a windshield wiper of the vehicle and (b) a defogging system of the vehicle responsive to the outputs. The control further is operable to control a headlamp of the vehicle responsive to the outputs. The control at least one of (a) accesses a common component of the electronic circuitry operable to control said electrochromic reflective element, and (b) shares a common component of the electronic circuitry operable to control said electrochromic reflective element. The dependent claims have been amended to correspond with the amendments to independent claim 103.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or

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combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference or references when combined must teach or suggest all the claimed limitations. The teaching or suggestion to make the claim combination and reasonable expectation of success must both be found in the prior art and not based on Applicant's disclosure. *In re Vaack*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991). See MPEP § 2143.

Bechtel '003 discloses a control system for automobile headlamps. The control system may turn the headlamps, tail lamps and running lamps on and off, and may control the high beams of the headlamps or the intensity of other vehicle lighting. There is no disclosure or suggestion in either Bechtel '003 or Bechtel '778 to control a rain sensor of the vehicle with the same control that is used for head lamp control. Nor is there any disclosure or suggestion in Bechtel '003 or Bechtel '778 of a control that accesses and/or shares a common component of electronic circuitry that controls an electrochromic reflective element of the interior rearview mirror assembly.

Vachss discloses an optical detector for windshield wiper control that controls the windshield wipers of a vehicle in response to an imager. There is no disclosure or suggestion in Vachss to control any other function of the vehicle. Nor is there any disclosure or suggestion in Vachss of a control that accesses and/or shares a common component of electronic circuitry that controls an electrochromic reflective element of the interior rearview mirror assembly.

Thus, there is no disclosure or suggestion in any of the cited references of the claimed invention. For example, there is no disclosure or suggestion in any of the cited references of a control that is operable to control a windshield wiper of the vehicle and/or a defogging system of the vehicle responsive to outputs of an imaging sensor, and that is operable to control a headlamp of the vehicle responsive to the outputs of the imaging sensor. Further, for example, there is no disclosure or suggestion in any of the cited references of a control for either the headlamps of the vehicle or the windshield wipers or defogging system of the vehicle that at least

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one of (a) accesses a common component of electronic circuitry operable to control an electrochromic reflective element, and (b) shares a common component of the electronic circuitry operable to control an electrochromic reflective element.

Accordingly, Applicants respectfully submit that neither Bechtel '003, Bechtel '778 nor Vachss, either alone or in combination with one another or with any other prior art of record, disclose, teach, suggest or render obvious the interior rearview mirror system of the present invention, particularly as set forth in independent claim 103 and in the claims depending therefrom. Reconsideration and withdrawal of the rejections of claims 103-126 and 129-133 is respectfully requested. Applicants further submit that new claims 134-147 are also in condition for allowance for at least all of the reasons set forth above.


Claims 103-147 are pending in the application. Applicants respectfully submit that claims 103-147 are in condition for allowance and a notice to that effect is earnestly and respectfully requested.

Respectfully submitted,

BRENT J. BOS ET AL.

By: Van Dyke, Gardner, Linn & Burkhardt, LLP

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Timothy A. Flory
Registration No. 42 540
2851 Charlevoix Drive, S.E., Suite 207
P.O. Box 888695
Grand Rapids, Michigan 49588-8695
(616) 975-5500

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